

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Services- Kum K.Suneetha, Assistant Section Officer, Law Department- Departmental proceedings under Rule 20 of the A.P.Civil Services ( Classification, Control and Appeal) Rules, 1991- Final Orders- Issued.

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LAW (M.I) DEPARTMENT

G.O.Rt.No. 1801

Dt.22-11-2011

Read the following:

- 1) Order of the A.P. Information Commission in Appeal No.4421/CIC/2009.
- 2) G.O.Rt.No.1405, Law (M.I) Dept., dt: 31.8.2010.
- 3) Govt. Memo No.2118/15 (RTI) M.I./2010-2, Law (M.I) Dept., dt: 31.8.2010.
- 4) Enquiry Report received from the Enquiry Officer, dt: 7.12.2010.
- 5) Govt. Memo. No.2118/15 (RTI)/M.I./10-6, dt: 15.2.2011.
- 6) From Sri K.Rajagopalachar, representation dated: 5.3.2011.

**ORDER:-**

The Chief Information Commissioner in the order first read above in Appeal No.4421/CIC/2009 has for the various acts of omission and commissions directed by the Secretary, Law Department, A.P. Secretariat to cause a detailed enquiry into the matter and fix responsibility on the delinquent officers and take deterrent action within the period specified therein. Sri K.Rajagopalachar vide Memo No. 2118/15 (RTI) M.I./2010-2, Law (M.I) Dept., dt:31.8.2010 has been directed to explain the reasons for not processing the application of Sri Ravuri Ramesh Babu, 17/231, Thipparajuvari Street, Nellore, SPSR Nellore District received in the department on 29.12.2008 and not furnishing the information to the applicant and he has submitted his explanation on 17.8.2010.

2. In the G.O. second read above while communicating the statement of articles of charges, imputations of misconduct or misbehavior in support of each article of charge, list of documents by which and list of witnesses by whom articles of charge are proposed to be sustained, Kum K.Suneetha, Assistant Section Officer has been informed that an enquiry would be held in respect of those articles of charges and directed to submit written statement.

3. In the reference 3<sup>rd</sup> read above Sri G.B.V.S. Nageswara Rao, Joint Secretary to Government, Law Department has been appointed as Inquiring Authority under Rule 20(2) of the A.P. Civil Services (Classification, Control and Appeal) Rules, 1991, to inquire into the charges framed against Sri K.Rajagopalachar, Asst. Secretary to Government and Kum K.Suneetha, ASO.

4. Kum K.Suneetha, Assistant Section Officer has submitted her written statement of defence to the charges leveled against her in G.O.Rt. No.1405, Law Dept., dt.31.8.2010. As she has not admitted the articles of charge framed against her in her written statement of defence, it has been decided to conduct an enquiry into the matter and the Enquiry Officer has been requested to conduct and complete the enquiry in Government Memo No. 2118/15(RTI)/M.I/2010-1 , Law (MI) Dept., dt: 31.8.2010.

5. The enquiry officer has submitted his enquiry report on 7.12.2010. The charges against Kum K.Suneetha, Asst. Section Officer are as follows:

**ARTICLE-I**

As Assistant Section Officer, Law (M.I) Department, Kum K.Suneetha, Asst. Section Officer, Law Department has worked in Law (M.I(1) Department which deals with the subject RTI Act,2005. But she has not taken any action on the Application received under RTI Act, 2005, while discharging her duties as A.S.O., Law M.I(1) Department. This shows her dereliction to duty.

**ARTICLE –II**

Under section 7(1) of the R.T. I. Act, 2005, on receipt of a request under section 6 shall, as expeditiously as possible and in any case within thirty days of the receipt of the request, either provide the information on payment of such fee as may be prescribed or reject the request for any of the reasons specified in sections 8 and 9 or transfer the Application under section 6 (3) of the said Act, if the subject matter of which is more closely connected with the functions of another public authority and inform the applicant immediately about such transfer not later than five days from the date of receipt of the application. In this case, no action was taken within the stipulated time, which shows her negligence to duty.

**ARTICLE –III**

The State Public Information Officer is liable for penalty under section 20 and 19(8) (b) of the RTI Act, 2005 for non- furnishing of information to the Applicant under RTI Act Kum. K. Suneetha, Asst. Section Officer, Law Department, being a case worker working in Law (M.I(1) Department, during the relevant period, has not processed the Application of Sri Ravuri Ramesh Babu, R/o 17/231, Thipparajuvari Street, Nellore, SPSR Nellore District submitted under RTI Act, 2005 which was received on 29-12-2008 in Law (M.I(1) Department, which amounts to violation of rule 3 of the A.P. Civil Services (Conduct) Rules, 1964.

6. She denied all the charges leveled against her and prayed to drop further action against her.

7. The Enquiry Officer has reported that in accordance with the orders issued in G.O.Ms.No.120, Law (M.I) Department dt:23.9.2005 conferring powers under sub-section (1) and (2) of section 5 and sub-section (1) of section 19 of the Right to Information Act, 2005 on the officers specified therein the persons holding the post of Dy. Secretary to Government in charge of the O.P. and the Section Officer, In charge of O.P. are designated as State Public Information Officer and State Asst. Public Information Officer respectively, for the purpose of providing information available in the Law Department of Secretariat to the persons requesting the information subject to the other provisions contained in the Act. According to the provisions of the RTI Act, 2005 any current under the RTI Act has to be registered and dealt with by the PIO and in terms of the orders issued in G.O.Ms.No.120, Law Department dt.23.9.2005, the persons holding the post of Dy. Secretary (OP) and Section Officer concerned who are named as PIO and Asst. PIO respectively, has to receive, acknowledge, register and dispose of the current under RTI Act within the time frame as contemplated under the said Act.

8. As per the extract of the relevant page from the tappal Register placed in the file, out of four currents received on 29.12.2008, two currents bearing C.No.08843 and 08845 pertaining to Kum K.Suneetha, A.S.O. (M.I) Section, who is said to have been on leave on that day.

9. Government after taking into consideration the submissions made by Kum K.Suneetha, A.S.O. and after examination of the matter in detail hereby decided to drop all further action against Kum K. Suneetha, A.S.O., as the charges leveled against her are not proved and she may be warned to be careful in future for the lapse of not maintaining Personal Register.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.Damodar,  
Secretary to Government,  
Legal Affairs.

To  
Kum K.Suneetha, Asst. Section Officer,  
Law Department.  
Copy to: The Chief Information Commissioner,  
HACA Bhavan, Opp: Public Gardens, Hyderabad.

//FORWARDED::BY ORDER//

SECTION OFFICER